IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

-

WRIT PETITION NO : 4394 of 1997

Between:

Akbar Pasha, s/o. Ramthu Miya,
R/o. Edigapalem Street, Rajampeta,
Cuddapah District.

..... PETITIONER

AND

1 Divisional Engineer, Roads and Buildings,
Cuddapah , Cuddapah District.
2 District Collector,
Cuddapah , Cuddapah District..

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction declaring the action of the respondents in seeking to demolish a part of petitioner's buildings bearing Nos.1/47A, 1/47B and 1/47C, Market Road, Rajampeta, Cuddapah District and building bearing No.4/5, Main Road, Rajampeta, Cuddapah District, without issuing notice to the petitioner or without following the due process of law as arbitrary, illegal, unjust ,with jurisdiction and violative of the fundamental rights guaranteed to the petitioner under Articles14 & 21 of the Constitution of India and violative of the Principles of Natural Justice and issue a consequential direction to the respondents not to demolish the portion of the above said buildings without following due process of law.

Counsel for the Petitioner: MR.S.SRINIVAS REDDY

Counsel for the Respondents: GP FOR ROADS & BUILDINGS

The Court made the following

ORDER:

Heard both sides.

The writ petition is filed seeking an appropriate writ, order or direction declaring the action of the respondents in seeking demolition of a part of petitioner's buildings bearing Nos.1/47-A, 1/47-B and 1/47-C, Market Road, Rajampeta, Cuddapah District, and building bearing No.4/5, Main Road, Rajampeta, Cuddapah District, without issuing notice to the petitioner or without following due process of law, as arbitrary, illegal, unjust, without jurisdiction and violative of the fundamental rights guaranteed to the petitioner under Articles 14 and 21 of the Constitution of India and violative of the principles of natural justice, with a consequential direction to the respondents not to demolish the portion of the above said buildings without following due process of law.

This Court had granted interim direction in W.P.M.P.No.5282 of 1997, dated 13-03-1997. In view of the facts and circumstances, the respondents, if they choose to do so, may proceed further by following due process of law.

Accordingly, the writ petition is disposed of. No order as to costs.

P.S. NARAYANA, J

23rd February, 2005

lsn

ASSISTANT REGISTRAR

To

1 The Divisional Engineer, Roads and Buildings,
Cuddapah , Cuddapah District.
2 The District Collector,
Cuddapah , Cuddapah District..

3. Two CCs to G.P. for Roads & Buildings, High Court Buildings,

Hyderabad (OUT).

4. Two CD copies